

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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USCA Docket Number:

USDC Docket Number : 05-cr-10016

United States of America

v.

Michael McDonald

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**CLERK'S CERTIFICATE**

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents as indicated on the certified copy of the docket and contained in Volume(s) I are the original pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 2/1/2006.

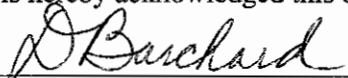
In testimony whereof, I hereunto set my hand and affix the seal of this Court on February 28, 2006.

Sarah A. Thornton, Clerk of Court

By: 

Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 2/28/06.

  
Deputy Clerk, US Court of Appeals

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Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: \_\_\_\_\_

APPEAL

**United States District Court  
District of Massachusetts (Boston)  
CRIMINAL DOCKET FOR CASE #: 1:05-cr-10016-RCL-ALL**

Case title: USA v. Carr et al

Date Filed: 01/26/2005

Magistrate judge case numbers: 1:04-mj-00281-  
JLA  
1:04-mj-00282-  
JLA

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Assigned to: Judge Reginald C.  
Lindsay

**Defendant**

**Nuerel Carr (1)**  
*also known as*  
**Frederick D. Brown (1)**  
*also known as*  
**Cox (1)**

represented by **Edward L. Hayden**  
7 Franklin Street  
Lynn, MA 01902  
781-599-1190  
Fax: 781-598-1190  
Email: hayden.law@verizon.net  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: CJA Appointment*

**Harold H. Hakala**  
Suite 1150  
15 Court Square  
Boston, MA 02108  
617-742-7040  
Fax: 617-742-8636  
Email: jbgnecco@hotmail.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Retained*

**Pending Counts**

21:963 Conspiracy to Import  
Cocaine

**Disposition**

(1)

21:952(a) & 960(a) Unlawful  
Importation of Cocaine; 18:2  
Aiding and Abetting

(2)

21:841(a)(1) Possession with  
Intent to Distribute Cocaine; 18:2  
Aiding and Abetting

(3)

**Highest Offense Level**  
**(Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level**  
**(Terminated)**

None

**Complaints**

21:841C=CD.F Possession with  
Intent to Distribute, 18:2 Aiding  
and Abetting

**Disposition**

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Assigned to: Judge Reginald C.  
Lindsay

**Defendant**

**Michael McDonald (2)**

represented by **John M. Moscardelli**

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Peters & Moscardelli  
Eight Winter Street,  
Suite 12  
Boston, MA 02108  
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Email:  
jmmoscardelli@yahoo.com

*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**Page Kelley**  
Federal Defenders  
408 Atlantic Avenue  
Boston, MA 02210  
617-223-8061  
Fax: 617-223-8080  
Email: page\_kelley@fd.org

*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Public Defender or*  
*Community Defender*  
*Appointment*

**Pending Counts**

21:841(a)(1) Possession with  
Intent to Distribute Cocaine; 18:2  
Aiding and Abetting  
(3)

21:841(a)(1) Possession with  
Intent to Distribute Cocaine  
(4)

**Highest Offense Level**  
**(Opening)**

Felony

**Terminated Counts**

None

**Highest Offense Level**  
**(Terminated)**

None

**Complaints**

21:841C=CD.F Possession with

**Disposition**

**Disposition**

**Disposition**

Intent to Distribute, 18:2 Aiding  
and Abetting

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Assigned to: Judge Reginald C.  
Lindsay

**Defendant**

**Donovan Sorrell (3)**

represented by **Martin F Murphy**  
Foley Hoag LLP  
155 Seaport Boulevard  
Boston, MA 02210  
617-832-1213  
Fax: 617-832-7000  
Email: mmurphy@foleyhoag.com

*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: CJA Appointment*

**Sarah G. Kim**  
Bingham McCutchen LLP  
150 Federal Street  
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617-951-8768  
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*ATTORNEY TO BE NOTICED*  
*Designation: Retained*

**Pending Counts**

21:963 Conspiracy to Import  
Cocaine  
(1)

21:952(a) & 960(a) Unlawful  
Importation of Cocaine; 18:2  
Aiding and Abetting  
(2)

**Disposition**

**Highest Offense Level**  
**(Opening)**

Felony

**Terminated Counts**

None

**Highest Offense Level  
(Terminated)**

None

**Complaints**

21:841A=CD.F Possession of  
Cocaine with Initent to Distribute

**Disposition**

**Disposition**

**Plaintiff**

USA

represented by **David G. Tobin**

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617-748-3392

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Email: David.Tobin@usdoj.gov

*TERMINATED: 02/02/2006*

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*ATTORNEY TO BE NOTICED*

**John A. Wortmann, Jr.**

United States Attorney's Office

John Joseph Moakley Federal

Courthouse

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*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
11/24/2004	1	COMPLAINT and AFFIDAVIT as to Nuerel Carr (1), Michael McDonald (2). (Brown, Rex) [1:04-mj-00282-JLA] (Entered: 12/03/2004)
11/24/2004		PROBABLE CAUSE Arrest of Nuerel Carr, Michael McDonald (Brown, Rex) [1:04-mj-00282-JLA] (Entered: 12/03/2004)
11/24/2004		Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Initial Appearance as to Nuerel Carr, Michael McDonald held on 11/24/2004. Defendant Nuerel Carr appeared with CJA attorney Edward Hayden and defendant Michael McDonald appeared with FPD attorney Page Kelly. The defendants' request counsel. Upon receipt of the defendants' financial affidavit at next hearing the Court will appoint counsel. The Court informs the defendants of the charges and the government states the maximum penalty. Upon motion of the government and defense the Court continues the matters, ORDERS the defendants temporarily detained and remanded to the custody of the Marshal to be produced at next hearing. Detention Hearing set for 12/7/2004 03:00 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. Preliminary Examination set for 12/7/2004 03:00 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Tape #Digital Recording.) (Brown, Rex) [1:04-mj-00282-JLA] (Entered: 12/03/2004)
11/24/2004	1	COMPLAINT and AFFIDAVIT as to Donovan Sorrell (1). (Brown, Rex) [1:04-mj-00281-JLA] (Entered: 12/03/2004)
11/24/2004		PROBABLE CAUSE Arrest of Donovan Sorrell (Brown, Rex) [1:04-mj-00281-JLA] (Entered: 12/03/2004)

11/24/2004	●	Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Initial Appearance as to Donovan Sorrell held on 11/24/2004. The defendant appears with CJA attorney Martin Murphy and requests counsel. Upon submission of the financial affidavit at next hearing the Court will appoint counsel. The Court informs the defendant of the charges and the government states the maximum penalty. Upon motion of the government and defense, the Court continues the matter and ORDERS the defendant temporarily detained until next hearing. Detention Hearing set for 12/8/2004 04:00 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. Preliminary Examination set for 12/8/2004 04:00 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Tape #Digital Recording.) (Brown, Rex) [1:04-mj-00281-JLA] (Entered: 12/03/2004)
11/24/2004	●2	Judge Joyce London Alexander : ORDER entered ORDER OF TEMPORARY DETENTION as to Donovan Sorrell Detention Hearing set for 12/8/2004 04:00 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Brown, Rex) [1:04-mj-00281-JLA] (Entered: 12/03/2004)
12/06/2004	●2	NOTICE OF ATTORNEY APPEARANCE: John M. Moscardelli appearing for Michael McDonald (Brown, Rex) [1:04-mj-00282-JLA] (Entered: 12/07/2004)
12/07/2004	●	Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Detention Hearing as to Nuerel Carr, Michael McDonald held on 12/7/2004, Preliminary Examination as to Nuerel Carr, Michael McDonald held on 12/7/2004. The government and defense offers evidence. The government and defense rests. The government and defense offer oral argument. Defendant Neurell Carr consents to an order of voluntary detention and if the circumstances of the defendant change will request further hearing. The Court ORDERS defendant Neurel Carr DETAINED pursuant to 18 U.S.C 3142(e)and remanded to the custody of the Marshal.
		The Court will take the matters of defendant Michael McDonald under advisement. Defendant Michael McDonald is remanded to the custody of the Marshal pending order of this Court. (Tape #Digital recording.) (Brown, Rex) [1:04-mj-00282-JLA] (Entered: 12/07/2004)
12/07/2004	●3	EXHIBIT/WITNESS LIST as to Nuerel Carr, Michael McDonald (Brown, Rex) [1:04-mj-00282-JLA] (Entered: 12/07/2004)



		12/07/2004)
12/07/2004	●6	CJA 23 Financial Affidavit by Nuerel Carr (Brown, Rex) Additional attachment(s) added on 12/28/2004 (Brown, Rex). [1:04-mj-00282-JLA] (Entered: 12/28/2004)
12/07/2004	●7	Judge Joyce London Alexander : ORDER entered CJA 20 as to Nuerel Carr : Appointment of Attorney Edward L. Hayden for Michael McDonald. (Brown, Rex) [1:04-mj-00282-JLA] (Entered: 12/28/2004)
12/08/2004	●	ElectronicClerk's Notes for proceedings held before Judge Joyce London Alexander :Detention Hearing as to Donovan Sorrell held on 12/8/2004, Preliminary Examination as to Donovan Sorrell held on 12/8/2004. The defendant waives the probable cause and detention hearings and consents to an order of detention. The Court will enter a finding of probable cause and detain the defendant pursuant 18 U.S.C. 3142(e). Order to issue. (Tape #Digital Recording.) (Brown, Rex) [1:04-mj-00281-JLA] (Entered: 01/04/2005)
12/09/2004	●4	MOTION to Withdraw as Attorney by Page Kelley. as to Michael McDonald. (Kelley, Page) [1:04-mj-00282-JLA] (Entered: 12/09/2004)
12/21/2004	●5	Assented to MOTION to Exclude <i>Time</i> as to Nuerel Carr, Michael McDonald by USA. (Tobin, David) [1:04-mj-00282-JLA] (Entered: 12/21/2004)
12/28/2004	●	Judge Joyce London Alexander : Electronic ORDER entered granting 4 Motion to Withdraw as Attorney. as to Michael McDonald (2) (Brown, Rex) [1:04-mj-00282-JLA] (Entered: 12/28/2004)
12/28/2004	●	Attorney update in case as to Michael McDonald. Attorney Page Kelley terminated. (Brown, Rex) [1:04-mj-00282-JLA] (Entered: 12/28/2004)
01/05/2005	●8	Judge Joyce London Alexander : ORDER entered. ORDER OF DETENTION as to Nuerel Carr, Michael McDonald (Brown, Rex) [1:04-mj-00282-JLA] (Entered: 01/07/2005)
01/05/2005	●3	Judge Joyce London Alexander : ORDER entered. ORDER OF DETENTION as to Donovan Sorrell (Brown, Rex) [1:04-mj-00281-JLA] (Entered: 01/07/2005)
01/26/2005	●9	INDICTMENT as to Nuerel Carr (1) count(s) 1, 2, 3, Michael

		McDonald (2) count(s) 3, 4, Donovan Sorrell (3) count(s) 1, 2. (Gawlik, Cathy) (Entered: 01/26/2005)
01/26/2005	10	Judge Reginald C. Lindsay : ORDER entered. ORDER REFERRING CASE to Magistrate Judge Joyce London Alexander Reason for referral: pretrial proceedings as to Nuerel Carr, Michael McDonald, Donovan Sorrell (Gawlik, Cathy) (Entered: 01/26/2005)
02/15/2005		NOTICE OF HEARING as to Nuerel Carr, Michael McDonald, Donovan Sorrell Arraignment set for 2/17/2005 02:00 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Brown, Rex) (Entered: 02/15/2005)
02/15/2005		Set/Reset Hearings as to Michael McDonald: Pursuant to request of counsel, time change ONLY permitted as to defendant Michael McDonald ONLY. Arraignment set for 2/17/2005 12:00 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Brown, Rex) (Entered: 02/16/2005)
02/16/2005	11	MOTION to Continue <i>Arraignment</i> as to Donovan Sorrell. (Murphy, Martin) (Entered: 02/16/2005)
02/16/2005		Judge Joyce London Alexander : Electronic ORDER entered granting 11 Motion to Continue as to Donovan Sorrell (3) to 3/1/05 at 2:00 PM. (Brown, Rex) (Entered: 02/17/2005)
02/17/2005		Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Attorney Hakala files a notice of appearance on behalf of defendant Neurel Carr. Arraignment as to Nuerel Carr (1) Count 1,2,3 and Michael McDonald (2) Count 3,4 held on 2/17/2005. The Court advises the defendants of the charges and the government states the maximum penalty. The defendant pleads not guilty to the charges. The Court provides counsel with automatic disclosure notices. Initial Status Conference set for 4/1/2005 03:00 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Tape #Digital Recording.) (Brown, Rex) (Entered: 02/17/2005)
02/17/2005	18	NOTICE OF ATTORNEY APPEARANCE: Harold H. Hakala appearing for Nuerel Carr (Brown, Rex) (Entered: 03/17/2005)
02/17/2005	19	NOTICE OF AUTOMATIC DISCLOSURE by Michael McDonald (Brown, Rex) (Entered: 03/17/2005)
02/18/2005	12	NOTICE OF ATTORNEY APPEARANCE: Sarah G. Kim

		appearing for Donovan Sorrell (Kim, Sarah) (Entered: 02/18/2005)
02/22/2005	<u>13</u>	MOTION to Continue <i>Arraignment</i> as to Donovan Sorrell by USA. (Tobin, David) (Entered: 02/22/2005)
03/01/2005	•	Judge Joyce London Alexander : Electronic ORDER entered granting <u>13</u> Motion to Continue as to Donovan Sorrell (3) in that counsel for the defendant assented to the motion via telephonic communication with this Court's clerk. The matter is continued to 3/7/05 at 4:15 PM. (Brown, Rex) (Entered: 03/01/2005)
03/01/2005	•	Set/Reset Hearings as to Donovan Sorrell: Arraignment set for 3/7/2005 04:15 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Brown, Rex) (Entered: 03/01/2005)
03/04/2005	•	Set/Reset Hearings as to Donovan Sorrell: Arraignment set for 3/7/2005 SAME DAY at 04:30 PM instead of 4:15 pm in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Brown, Rex) (Entered: 03/04/2005)
03/07/2005	•	Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander : Arraignment as to Donovan Sorrell (3) Count 1,2 held on 3/7/2005. The Court advises the defendant of the charges and the government states the maximum penalty. The defendant pleads not guilty. The Court provides counsel with an automatic disclosure notice. Initial Status Conference set for 4/13/2005 03:00 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Tape #Digital Recording.) (Brown, Rex) (Entered: 03/07/2005)
03/08/2005	<u>14</u>	NOTICE <i>Automatic Disclosure</i> by Donovan Sorrell (Kim, Sarah) (Entered: 03/08/2005)
03/10/2005	<u>15</u>	Letter (non-motion) regarding Discovery as to Nuerel Carr (Tobin, David) (Entered: 03/10/2005)
03/10/2005	<u>16</u>	Letter (non-motion) regarding Discovery as to Michael McDonald (Tobin, David) (Entered: 03/10/2005)
03/10/2005	<u>17</u>	Letter (non-motion) regarding Discovery as to Donovan Sorrell (Tobin, David) (Entered: 03/10/2005)
03/23/2005	<u>20</u>	MOTION for Bill of Particulars <i>for Forfeiture of Assets</i> as to Nuerel Carr, Michael McDonald, Donovan Sorrell by USA. (Wright, Shelby) (Entered: 03/23/2005)



04/04/2005	<u>21</u>	Assented to MOTION to Exclude <i>Time</i> as to Nuerel Carr, Michael McDonald by USA. (Tobin, David) (Entered: 04/04/2005)
04/06/2005		Judge Joyce London Alexander : Electronic ORDER entered granting <u>21</u> Motion to Exclude as to Nuerel Carr (1), Michael McDonald (2) (Brown, Rex) (Entered: 04/27/2005)
04/26/2005	<u>22</u>	Judge Joyce London Alexander : ORDER entered. REPORT AND ORDER on Initial Status Conference as to Nuerel Carr, Michael McDonald Dispositive Motions due by 5/11/2005. Final Status Conference set for 5/11/2005 10:30 AM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Brown, Rex) (Entered: 04/26/2005)
04/26/2005	<u>23</u>	Judge Joyce London Alexander : ORDER entered. REPORT AND ORDER on Initial and Final Status Conference as to Donovan Sorrell Whereas all pretrial matters referred to the Magistrate Judge by the District Judge have been resolved, the case is hereby returned to the District Judge. (Brown, Rex) (Entered: 04/26/2005)
04/26/2005	<u>24</u>	Judge Joyce London Alexander : ORDER entered. ORDER ON EXCLUDABLE DELAY as to Nuerel Carr, Michael McDonald Time excluded from 11/24/04 until 5/11/05. (Brown, Rex) (Entered: 04/27/2005)
04/27/2005		Judge Joyce London Alexander : Electronic ORDER entered denying <u>5</u> Motion to Exclude as to Nuerel Carr (1), Michael McDonald (2). The dates requested for excluded time are not correct. The complaint was not signed until 11/25/04. (Brown, Rex) (Entered: 05/04/2005)
04/27/2005		Judge Joyce London Alexander : Electronic ORDER entered reserving ruling for the District Judge on <u>20</u> Motion for Bill of Particulars as to Nuerel Carr (1), Michael McDonald (2), Donovan Sorrell (3) (Brown, Rex) (Entered: 05/04/2005)
05/10/2005	<u>25</u>	NOTICE of Change of Firm and Address by Donovan Sorrell (Murphy, Martin) (Entered: 05/10/2005)
05/11/2005		Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander : Final Status Conference as to Nuerel Carr, Michael McDonald held on 5/11/2005. Order to issue. Dispositive Motions due by 6/23/2005; with objections due 7/7/05. Dispositive Motions due by 6/23/2005. Further Final

		Status Conference set for 6/30/2005 11:30 AM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Tape #Digital Recording.) (Brown, Rex) Modified on 5/13/2005 (Brown, Rex). (Entered: 05/13/2005)
05/24/2005	●	NOTICE OF HEARING as to Donovan Sorrell Pretrial Conference set for 6/1/2005 02:30 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 05/24/2005)
06/01/2005	●	Electronic Clerk's Notes for proceedings held before Judge Reginald C. Lindsay :Pretrial Conference as to Donovan Sorrell held on 6/1/2005. Change of Plea Hearing set for 8/16/2005 02:30 PM in Courtroom 11 before Judge Reginald C. Lindsay. Any written plea agreement to be filed three business days before the plea date. If no plea agreement, counsel to notify the clerk three business days before the plea date. A failure to follow these instructions may result in the cancellation of the Rule 11 Hearing at the discretion of the Court.(Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 06/02/2005)
06/01/2005	●	Judge Reginald C. Lindsay : Electronic ORDER entered. ORDER ON EXCLUDABLE DELAY as to Donovan Sorrell Time excluded from 4/1/05 until 8/16/05. (Hourihan, Lisa) (Entered: 06/02/2005)
06/28/2005	● <u>26</u>	JOINT MOTION to Continue to 7/26/05 at 3:30 p.m. to hold Final Status Conference, MOTION for Excludable Delay from 6/30/05 to 7/26/05, MOTION for Extension of Time to 7/26/05 to File Dispositive Motions as to Nuerel Carr, Michael McDonaldby Nuerel Carr, USA, Michael McDonald, Donovan Sorrell. (Brown, Rex) (Entered: 06/29/2005)
06/28/2005	●	Judge Joyce London Alexander : Electronic ORDER entered granting <u>26</u> Motion to Continue as to Nuerel Carr (1), Michael McDonald (2); granting <u>26</u> Motion to Exclude as to Nuerel Carr (1), Michael McDonald (2); granting <u>26</u> Motion for Extension of Time as to Nuerel Carr (1), Michael McDonald (2) (Brown, Rex) (Entered: 06/29/2005)
06/28/2005	●	Set/Reset Hearings as to Nuerel Carr, Michael McDonald: Final Status Conference set for 7/26/2005 03:30 PM in Courtroom 24 before Magistrate Judge Joyce London Alexander. (Brown, Rex) (Entered: 06/29/2005)



06/29/2005	27	Judge Joyce London Alexander : ORDER entered. ORDER ON EXCLUDABLE DELAY as to Nuerel Carr, Michael McDonald Time excluded from 6/30/05 until 7/26/2005. (Brown, Rex) (Entered: 06/29/2005)
07/21/2005	28	MOTION to Suppress as to Michael McDonald. (York, Steve) (Entered: 07/21/2005)
07/21/2005	29	MEMORANDUM in Support by Michael McDonald re 28 MOTION to Suppress (York, Steve) (Entered: 07/21/2005)
07/26/2005	30	Magistrate Judge Joyce London Alexander : ORDER entered. REPORT AND ORDER on Final Status Conference as to Nuerel Carr, Michael McDonald. Case ready to be returned to District Judge. (Miner, Valencia) (Entered: 07/27/2005)
07/26/2005		Electronic Clerk's Notes for proceedings held before Judge Joyce London Alexander :Status Conference as to Nuerel Carr, Michael McDonald, Donovan Sorrell held on 7/26/2005. Parties request a further continuance of the final status conference. Court denies the request and returns the case to the district judge for trial. Government to inform the court of the total number of excluded days. (O'Leary, Dennis) (Entered: 07/27/2005)
07/26/2005		Case as to Nuerel Carr, Michael McDonald, Donovan Sorrell no longer referred to Magistrate Judge Joyce London Alexander. (Lovett, Jarrett) (Entered: 01/17/2006)
08/16/2005		Electronic Clerk's Notes for proceedings held before Judge Reginald C. Lindsay :Change of Plea Hearing as to Donovan Sorrell held on 8/16/2005. Defendant retracts previous plea of not guilty and enters plea of guilty to Counts 1 and 2 of the Indictment. Court finds factual basis, the plea is accepted and entered by Donovan Sorrell (3) Guilty Count 1,2. (Court Reporter R. Romanow.) (Hourihan, Lisa) (Entered: 08/17/2005)
08/16/2005	33	TRANSCRIPT of Proceedings as to Nuerel Carr, Michael McDonald held on December 7,2004 before Judge Lindsay. Court Reporter: Maryann V. Young. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter at 508-384-2003 or the Clerk's Office. (Diskes, Sheila) (Entered: 08/17/2005)

08/17/2005	31	Judge Reginald C. Lindsay : ORDER entered. PROCEDURAL ORDER re sentencing hearing as to Donovan Sorrell Sentencing set for 12/19/2005 02:00 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 08/17/2005)
08/17/2005	32	PLEA AGREEMENT as to Donovan Sorrell (Hourihan, Lisa) (Entered: 08/17/2005)
08/22/2005	34	RESPONSE to Motion by USA as to Michael McDonald re 28 MOTION to Suppress <i>Fruits of Illegal Arrest</i> (Tobin, David) (Entered: 08/22/2005)
09/07/2005	35	MOTION for Hearing ( <i>Status Conference</i> ) as to Nuerel Carr, Michael McDonald by USA. (Tobin, David) (Entered: 09/07/2005)
10/28/2005	36	Judge Reginald C. Lindsay : ORDER entered granting 28 Motion to Suppress as to Michael McDonald for reasons stated in the accompanying written order. (Lindsay, Reginald) (Entered: 10/28/2005)
10/28/2005		Judge Reginald C. Lindsay : Electronic ORDER entered granting 35 Motion for status conference. The clerk shall schedule such conference for the earliest possible date. (Lindsay, Reginald) (Entered: 10/28/2005)
10/31/2005		ELECTRONIC NOTICE OF HEARING as to Nuerel Carr, Michael McDonald, Donovan Sorrell Status Conference set for 11/8/2005 03:00 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 10/31/2005)
11/03/2005	37	MOTION for Reconsideration re 36 Order on Motion to Suppress as to Michael McDonald by USA. (Attachments: # (1))(Tobin, David) Additional attachment(s) added on 11/4/2005 (York, Steve). Additional attachment(s) added on 11/4/2005 (York, Steve). Additional attachment(s) added on 11/4/2005 (York, Steve). (Entered: 11/03/2005)
11/07/2005		ELECTRONIC NOTICE OF RESCHEDULING as to Nuerel Carr, Michael McDonald, Donovan Sorrell Status Conference reset for 11/16/2005 02:00 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 11/07/2005)
11/16/2005		Electronic Clerk's Notes for proceedings held before Judge Reginald C. Lindsay : Status Conference as to Nuerel Carr, Michael McDonald held on 11/16/2005. Defendant McDonald

		may have an extension of time to file response to motion for reconsideration. Response due 11/30/05. Counsel report case ready for a trial date. Trial estimate 5-7 days. Court sets trial for 2/6/06. Pretrial Order to issue. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 11/17/2005)
11/17/2005	<u>38</u>	Judge Reginald C. Lindsay : ORDER entered. PRETRIAL ORDER as to Nuerel Carr, Michael McDonald Time excluded from 11/16/05 until 2/6/06. Jury Trial set for 2/6/2006 09:00 AM in Courtroom 11 before Judge Reginald C. Lindsay. Pretrial Conference set for 2/3/2006 03:00 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 11/17/2005)
12/02/2005	<u>39</u>	Defendant Response to Government's Motion for Reconsideration re <u>36</u> Order on Motion to Suppress by Michael McDonald re <u>37</u> (York, Steve) (Entered: 12/02/2005)
12/05/2005	<u>40</u>	Assented to MOTION to Continue <i>Sentencing</i> as to Donovan Sorrell by USA. (Tobin, David) (Entered: 12/05/2005)
12/07/2005		Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>40</u> Motion to Continue as to Donovan Sorrell (3) Sentencing reset for 3/13/2006 02:00 PM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 12/07/2005)
01/10/2006	<u>41</u>	First MOTION to Amend <i>Trial Date</i> as to Nuerel Carr, Michael McDonald, Donovan Sorrell by USA. (Tobin, David) (Entered: 01/10/2006)
01/11/2006		Judge Reginald C. Lindsay : Electronic ORDER entered denying <u>41</u> Motion to Amend Trial Date as to Nuerel Carr (1), Michael McDonald (2), Donovan Sorrell (3) (Hourihan, Lisa) (Entered: 01/11/2006)
01/19/2006	<u>42</u>	Judge Reginald C. Lindsay : ORDER entered denying <u>37</u> Motion of the United States for Reconsideration of Order granting motion to suppress of Michael McDonald. The reasons for this ruling are stated in the accompanying memorandum order. (Lindsay, Reginald) (Entered: 01/19/2006)
02/01/2006	<u>43</u>	NOTICE OF APPEAL by USA, USA as to Michael McDonald re <u>42</u> Order on Motion for Reconsideration,. Filing fee \$ 255. NOTICE TO COUNSEL: A Transcript



		Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at <a href="http://www.ca1.uscourts.gov/clerks/transcript.htm">http://www.ca1.uscourts.gov/clerks/transcript.htm</a> MUST be completed and submitted to the Court of Appeals. Appeal Record due by 2/21/2006. (Attachments: # 1)(Cabell, Donald) (Entered: 02/01/2006)
02/02/2006	●	ELECTRONIC NOTICE OF HEARING as to Nuerel Carr Change of Plea Hearing set for 2/6/2006 10:00 AM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 02/02/2006)
02/02/2006	●44	NOTICE OF ATTORNEY APPEARANCE Glenn A. MacKinlay appearing for USA. <i>and John A. Wortmann, Jr., appearing for USA.</i> (MacKinlay, Glenn) (Entered: 02/02/2006)
02/02/2006	●45	Assented to MOTION for Rule 11 Hearing as to Nuerel Carrby USA. (MacKinlay, Glenn) (Entered: 02/02/2006)
02/02/2006	●	Attorney update in case as to Nuerel Carr, Michael McDonald, Donovan Sorrell. Attorney John A. Wortmann, Jr for USA added. Attorney David G. Tobin terminated. (Hourihan, Lisa) (Entered: 02/02/2006)
02/02/2006	●	Judge Reginald C. Lindsay : Electronic ORDER entered granting <u>45</u> Motion for Rule 11 Hearing as to Nuerel Carr (1) and to continue the trial for one week. (Hourihan, Lisa) (Entered: 02/02/2006)
02/06/2006	●	ElectronicClerk's Notes for proceedings held before Judge Reginald C. Lindsay :Change of Plea Hearing as to Nuerel Carr held on 2/6/2006. Defendant retracts previous plea of not guilty and enters plea of guilty to Counts 1,2,3 of the Indictment. Court finds factual basis, the plea is accepted and entered by Nuerel Carr (1) Guilty Count 1,2,3. (Court Reporter D. Joyce.) (Hourihan, Lisa) (Entered: 02/06/2006)
02/06/2006	●46	Judge Reginald C. Lindsay : ORDER entered. PROCEDURAL ORDER re-sentencing hearing as to Nuerel Carr Sentencing set for 5/1/2006 09:00 AM in Courtroom 11 before Judge Reginald C. Lindsay. (Hourihan, Lisa) (Entered: 02/06/2006)
02/06/2006	●47	GOVERNMENT'S CERTIFICATION of Timely Acceptance of Responsibility as to Nuerel Carr (MacKinlay, Glenn) (Entered: 02/06/2006)

